

4

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

VIOLATIONS: 18 U.S.C. § 922(a)(6)  
18 U.S.C. § 924(a)(2)

ROBERTO THOMAS,

Defendant.

Case: 2:22-cr-20109  
Judge: Edmunds, Nancy G.  
MJ: Stafford, Elizabeth A.  
Filed: 03-01-2022 At 04:06 PM  
INDI USA V ROBERTO THOMAS (SS)

INDICTMENT

The Grand Jury charges that:

COUNTS ONE THROUGH THREE

(18 U.S.C. § 922(a)(6) – *false statement during purchase of a firearm*)

On or about the dates set forth below, in the Eastern District of Michigan, the defendant, ROBERTO THOMAS, in connection with the acquisition of the firearms identified below, from the below identified dealers, who are licensed dealers of firearms within the meaning of Chapter 44, Title 18, United States Code (dealers), knowingly made a false and fictitious written statement to the dealers, which statement was intended to deceive those dealers, as to a fact material to the lawfulness of such sale of said firearm to the defendant under chapter 44 of Title 18, in that the defendant did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives form 4473, Firearms Transactions Record, to the effect that he was the

actual buyer of the firearm indicated on the form 4473, when in fact as the defendant then knew, he was not the actual buyer of the firearm as described below, as to each count, and each count constituting a separate count of the indictment:

Count	Date of Purchase	Description of Firearm	Licensed Firearm Dealer
Count 1	January 28, 2021	Smith & Wesson 9mm caliber pistol, model M&P9 Shield	Double Action INDOOR SHOOTNG CENTER
Count 2	December 15, 2020	Taurus 40 caliber pistol, model G2S	CC COINS LLC
Count 3	August 5, 2020	Smith & Wesson, 9mm caliber, model M&P9 M2.0	Nicolette's Gun's Inc., d/b/a TARGET SPORTS

All in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

### FORFEITURE ALLEGATIONS

The allegations contained in Counts One through Three of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c).

As a result of the forgoing violations of Title 18, United States Code, Section 922(a)(6), as set forth in Counts One through Three of this Indictment, the defendant shall forfeit to the United States any firearms and ammunition involved in or used in

the knowing commission of the offenses, pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c).

**THIS IS A TRUE BILL.**

s/ Grand Jury Foreperson  
Grand Jury Foreperson

DAWN N. ISON  
United States Attorney

s/ Benjamin C. Coats  
BENJAMIN C. COATS  
Chief, General Crimes Unit

s/ Rosemary Wummel Gardey  
ROSEMARY WUMMEL GARDEY  
Assistant United States Attorney  
211 West Fort Street, Suite 2001  
Detroit, Michigan 48226-3220  
phone: 313-226-0285  
email: rosemary.gardey@usdoj.gov

Dated: March 1, 2022

United States District Court  
Eastern District of Michigan

**Criminal Case C**

Case: 2:22-cr-20109  
Judge: Edmunds, Nancy G.  
MJ: Stafford, Elizabeth A.  
Filed: 03-01-2022 At 04:06 PM  
INDI USA V ROBERTO THOMAS (SS)

NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to

<b>Companion Case Information</b>	Companion Case Number:
This may be a companion case based upon LCrR 57.10 (b)(4) <sup>1</sup> :	Judge Assigned:
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	AUSA's Initials: <i>RWJS</i>

Case Title: USA v. Roberto Thomas

County where offense occurred : Wayne and Oakland

Check One: ☒ Felony ☐ Misdemeanor ☐ Petty

☐ Indictment/ ☐ Information --- no prior complaint.

☒ Indictment/ ☐ Information --- based upon prior complaint [Case number: 22-mj-30083 ]

☐ Indictment/ ☐ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].

**Superseding Case Information**

Superseding to Case No: \_\_\_\_\_ Judge: \_\_\_\_\_

- ☐ Corrects errors; no additional charges or defendants.  
☐ Involves, for plea purposes, different charges or adds counts.  
☐ Embraces same subject matter but adds the additional defendants or charges below:

Defendant name

Charges

Prior Complaint (if applicable)

Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

March 1, 2022

Date

*Rosemary Wummel Gardey*

Rosemary Wummel Gardey  
Assistant United States Attorney  
211 W. Fort Street, Suite 2001  
Detroit, MI 48226-3277

Phone: 313-226-0285

Fax: 313-226-2372

E-Mail address: rosemary.gardey@usdoj.gov

Attorney Bar #: P49019

<sup>1</sup> Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, or (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.